

FROM : Conley, Rose & Tayon - Dallas FAX NO. : 9727312289



SEP. 18 2002 10:33AM P2

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PTO/SB/030 (08-00)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

<b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b>  Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).	Application Number	09/702,933
	Filing Date	October 31, 2000
	First Named Inventor	Craig Mahaney
	Group Art Unit	2643
	Examiner Name	Barry W. Taylor
	Attorney Docket Number	IDI 1499 (4000-02500)

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1.	Submission required under 37 C.F.R. § 1.114.
a.	<input checked="" type="checkbox"/> Previously submitted
i.	<input type="checkbox"/> Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on August 23, 2002
ii.	<input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on
iii.	<input type="checkbox"/> Other
b.	<input checked="" type="checkbox"/> Enclosed
i.	<input type="checkbox"/> Amendment/Reply
ii.	<input type="checkbox"/> Affidavit(s)/Declaration(s)
iii.	<input type="checkbox"/> Information Disclosure Statement (IDS)
iv.	<input checked="" type="checkbox"/> Other Fee Transmittal
2.	Miscellaneous
a.	<input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)
b.	<input type="checkbox"/> Other
3.	Fees
	The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
a.	<input checked="" type="checkbox"/> The director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 21-0765
i.	<input checked="" type="checkbox"/> RCE fee required under 37 C.F.R. § 1.17(e)
ii.	<input type="checkbox"/> Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
iii.	<input type="checkbox"/> Other
b.	<input type="checkbox"/> Check in the amount of \$ _____ enclosed
c.	<input type="checkbox"/> Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Albert C. Metruiller	Registration No. (Attorney/Agent)	27,145
Signature	<i>Albert C. Metruiller</i>	Date	September 18, 2002

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Box RCF, Washington, D.C. 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on: September 18, 2002

Name (Print/Type)	Stephanie L. Hall	Date	September 18, 2002
Signature	<i>Stephanie L. Hall</i>		

PTO/SB/17 (10-01)

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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL  
for FY 2002**

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT** (\$) 740.00**Complete if Known**

Application Number	09/702,933
Filing Date	10/31/2000
First Named Inventor	Craig Mahaney
Examiner Name	Barry W. Taylor
Group Art Unit	2643
Attorney Docket No.	IDF 1499 (4000-02500)

**METHOD OF PAYMENT**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number  
21-0765Deposit Account Name  
Sprint☒ Charge Any Additional Fee Required Under 37 CFR 1.18 and 1.17☐ Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
105	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

**SUBTOTAL (1)** (\$)**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	84	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	

**SUBTOTAL (2)** (\$)

\*\*or number previously paid, if greater. For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
501	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	740.00
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$) 740.00**SUBMITTED BY**Name (Print/Type) Albert C. Mettrailer  
Signature *Albert C. Mettrailer*

Registration No. (Attorney/Agent) 27,145

**Complete (if applicable)**

Telephone 972-731-2288

Date 9-18-2002

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231.

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## FAX TRANSMITTAL COVER SHEET

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**CONLEY, ROSE & TAYON, P.C.**  
**5700 Granite Parkway, Suite 330**  
**Plano, Texas 75024-6616**  
Telephone Number: (972) 731-2288  
Fax Number: (972) 731-2289

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**PLEASE DELIVER THE FOLLOWING PAGES IMMEDIATELY TO:**

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NAME: Examiner Barry W. Taylor

FAX: 9 1 703 872 9314

FROM: Albert C. Metrailler

DATE: September 18, 2002

RE:

REMARKS: Request for Continued Examination (RCE) Transmittal

Total Number of Pages (Including Cover Page): 3

OUR CLIENT/MATTER NO.: IDF 1499 (4000-02500)

YOUR REFERENCE NO.: USSN 09/702,933

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